

that there are a number of others who stand in precisely the same position who have not the good fortune to have the personal acquaintance of a Senator of the United States.

Mr. BRADLEY. Mr. President—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Kentucky?

Mr. BORAH. I do.

Mr. BRADLEY. Mr. President, so far as any injustice has been done to anybody, I am perfectly willing to introduce any bill that is necessary to see that justice is done. I want to say, in addition to that, that my esteemed friend from Idaho is a little mistaken when he says that the cases which have been referred to are exactly like the case that is now before the Senate.

Mr. BORAH. Well, some of them are not exactly like it, but seem to be worse.

Mr. BRADLEY. None of them are as bad.

Mr. BORAH. I have the statement of the Senator from North Dakota, who, I know, is quite familiar with all pension matters.

Mr. McCUMBER. The Senator can read one case, if he wants to, and he can determine whether or not it is a case as bad as that. All he needs to read is the statement made by the examining surgeon.

Mr. GALLINGER. Mr. President, if the Senator will permit me—

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from New Hampshire?

Mr. BORAH. I yield.

Mr. GALLINGER. There is a case in this very bill that appeals to me. I will not read all the report contains; but it is the case of Henry M. Endsley, which is found on page 19 of the report. He served in the Mexican War for a year and in the Civil War for three years. He is 90 years old and is helpless from rheumatism, disease of the heart, and old age, and requires the aid and assistance of another person; and \$50 is provided for him in this very bill. It is manifest that this old veteran of two wars, at the age of 90 years, practically helpless and requiring the aid and attendance of another person, ought at least to receive as much as the soldier whose case we have been considering. So that, if the rule is departed from, there will be inequalities that ought to be corrected, and this particular case ought to be corrected in this bill.

Mr. BRADLEY. May I ask the Senator a question?

The VICE PRESIDENT. Does the Senator from Idaho yield to the Senator from Kentucky?

Mr. BORAH. I yield to the Senator from Kentucky.

Mr. BRADLEY. Did this man lose an arm?

Mr. GALLINGER. He did not; but I do not think that makes any difference.

Mr. BRADLEY. Oh, of course not—

Mr. GALLINGER. That does not make any difference. The soldier who lost an arm got a larger pension from the time he left the Army because of the loss of that arm.

Mr. BRADLEY. Oh, no.

Mr. GALLINGER. Certainly he got a larger pension than the other man. It has been increased six times and more as appears from the report.

Mr. BRADLEY. But the pension he is receiving now was granted only a comparatively short time ago.

Mr. GALLINGER. But all through his history since the close of the Civil War he received a larger pension than the ordinary soldier did for disabilities. We have been more liberal with that class of soldiers.

Mr. BORAH. I find here is a case where a man did not lose an arm, but lost his jaw.

Mr. BRADLEY. That was worse.

Mr. McCUMBER. And lost an eye and the hearing of both ears.

Mr. BORAH. He also lost an eye and is deaf.

Mr. BRADLEY. I might suggest that the loss of a jaw would be a good thing for some Senators. [Laughter.]

Mr. BORAH. I am satisfied if my friend from Kentucky had been thus afflicted this bill would not be in the Senate.

Mr. President, I am only interested in one consideration, and that is in the equity of this rule. I want to know whether or not these matters are going to be corrected.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from North Dakota to strike out the clause on page 7, from line 7 to line 10, inclusive. [Putting the question.] By the sound the "ayes" appear to have it.

Mr. BRADLEY. I ask for a division.

The amendment was rejected, there being on a division—ayes 17, noes 19.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

DEATH OF REPRESENTATIVE DAVID J. FOSTER, OF VERMONT.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, communicated to the Senate the intelligence of the death of Hon. DAVID J. FOSTER, late a Representative from the State of Vermont, and transmitted resolutions of the House thereon.

The VICE PRESIDENT. The Chair lays before the Senate resolutions of the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

House resolution 457.

Resolved, That the House has heard with profound sorrow of the death of Hon. DAVID J. FOSTER, a Representative from the State of Vermont.

Resolved, That a committee of 10 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect this House do now adjourn.

Mr. DILLINGHAM. Mr. President, I submit the resolutions which I send to the desk, and ask for their adoption.

The VICE PRESIDENT. The resolutions offered by the Senator from Vermont will be read.

The Secretary read the resolutions (S. Res. 259), as follows:

Resolved, That the Senate has heard with deep sensibility the announcement of the death of Hon. DAVID J. FOSTER, late a Representative from the State of Vermont.

Resolved, That a committee of nine Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to take order for superintending the funeral of the deceased at Burlington, Vt.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The resolutions were considered by unanimous consent, and unanimously agreed to.

The VICE PRESIDENT appointed, under the second resolution, as the committee on the part of the Senate Mr. DILLINGHAM, Mr. PAGE, Mr. GALLINGER, Mr. LODGE, Mr. RAYNER, Mr. BURTON, Mr. JONES, Mr. PERCY, and Mr. THORNTON.

Mr. DILLINGHAM. As a further mark of respect to the memory of the deceased, I move that the Senate adjourn.

The motion was unanimously agreed to; and (at 4 o'clock and 36 minutes p. m.) the Senate adjourned until Monday, March 25, 1912, at 2 o'clock p. m.

HOUSE OF REPRESENTATIVES.

FRIDAY, March 22, 1912.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Infinite and eternal Spirit, our heavenly Father, in whom we live and move and have our being, our faith looks up to Thee in this hour of sorrow and grief. Surely Thou givest life and takest it away, not in death but in the larger life which awaits us all. A great sorrow has fallen into our hearts because one of our number has been taken away from us who for many years held a conspicuous place in the committee room and on the floor of this House; strong, pure, aggressive, he served his State and Nation with untiring energy. Help us to keep his memory green and copy his virtues. Solace the bereaved family with the hopes and promises of a bright beyond when the voice which was music to their ears, the eyes which looked love into their hearts, and the strong arms which upheld and sustained them shall receive them once more in a realm where there are no separations. "We are born for a higher destiny than that of earth. There is a realm where the rainbow never fades, where the stars will be spread out before us like the islands that slumber on the ocean, and where the beautiful beings that here pass before us like visions will stay in our presence forever." Thus may we believe; thus may we hope in the promises of the Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 5440. An act to establish a home for feeble-minded, imbecile, and idiotic children in the District of Columbia;

S. 2504. An act to provide for the extension of New Hampshire Avenue, in the District of Columbia, on a straight line, and for other purposes;

S. 5271. An act to confer concurrent jurisdiction on the police court of the District of Columbia in certain cases;

S. 1093. An act to provide for the extension of Buchanan Street NW. between Piney Branch Road and Sixteenth Street and the abandonment of Piney Branch Road between Allison Street and Buchanan Street NW., District of Columbia;

S. 5375. An act for the relief of the police and fireman's pension funds, District of Columbia;

S. 1086. An act to amend sections 680 and 686 of the Code of Law for the District of Columbia;

S. 5465. An act for the relief of holders and claimants of preference rights on public lands;

S. 4839. An act for the relief of Mary J. Webster;

S. 4310. An act to provide for the purchase of a site and the erection of a public building at North Topeka, Kans.;

S. 2558. An act authorizing the installation of an elevator in the United States public building at Martinsburg, W. Va.;

S. 1895. An act to provide for the purchase of a site and the erection of a public building thereon at Farmville, in the State of Virginia;

S. 248. An act providing for the erection of a Federal building at Coeur d'Alene, Idaho;

S. 5077. An act providing for the erection of a Federal building at Pocatello, Idaho;

S. 5060. An act to provide for the disposal of the unallotted land on the Omaha Indian Reservation, in the State of Nebraska;

S. 2186. An act to set apart certain lands in the State of Oregon as a public park, to be known as the Saddle Mountain National Park;

S. 5757. An act to abolish the penalty of imprisonment for desertion of seamen from vessels of the United States;

S. 2689. An act to provide for the erection of a public building at Mannington, W. Va.;

S. 3917. An act for the retirement of Henry R. Drake, captain, Philippine Scouts;

S. 4213. An act for the relief of the estate of Harriet B. Anderson and others;

S. 5491. An act for the purchase of a site and the erection thereon of a public building at Corvallis, Oreg.;

S. 5194. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and certain widows and dependent relatives of such soldiers and sailors;

S. 5623. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors;

S. J. Res. 91. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military Academy at West Point Mr. Manuel Agüero y Junqué, of Cuba;

S. 5493. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent relatives of such soldiers and sailors;

S. 5670. An act granting pensions and increases of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent relatives of such soldiers and sailors;

S. 5415. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War, and certain widows and dependent relatives of such soldiers and sailors; and

S. 5244. An act to regulate the practice of dentistry in the District of Columbia.

The message also announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 178. Joint resolution creating a commission to investigate and report on the advisability of the establishment of a permanent maneuvering grounds, camp of inspection, rifle and artillery ranges for troops of the United States at or near the city of Anniston, county of Calhoun, State of Alabama, and to likewise report as to certain lands in and around the city of Anniston, county of Calhoun, State of Alabama, proposed to be donated to the United States for said purposes.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5440. An act to establish a home for feeble-minded, imbecile, and idiotic children in the District of Columbia; to the Committee on the District of Columbia.

S. 2504. An act to provide for the extension of New Hampshire Avenue, in the District of Columbia, on a straight line, and for other purposes; to the Committee on the District of Columbia.

S. 5271. An act to confer concurrent jurisdiction on the police court of the District of Columbia in certain cases; to the Committee on the District of Columbia.

S. 1093. An act to provide for the extension of Buchanan Street NW. between Piney Branch Road and Sixteenth Street and the abandonment of Piney Branch Road between Allison Street and Buchanan Street NW., District of Columbia; to the Committee on the District of Columbia.

S. 5375. An act for the relief of the police and fireman's pension funds, District of Columbia; to the Committee on the District of Columbia.

S. 1086. An act to amend sections 680 and 686 of the Code of Law for the District of Columbia; to the Committee on the District of Columbia.

S. 5465. An act for the relief of holders and claimants of preference rights on public lands; to the Committee on the Public Lands.

S. 4839. An act for the relief of Mary J. Webster; to the Committee on the Public Lands.

S. 4310. An act to provide for the purchase of a site and the erection of a public building at North Topeka, Kans.; to the Committee on Public Buildings and Grounds.

S. 2558. An act authorizing the installation of an elevator in the United States public building at Martinsburg, W. Va.; to the Committee on Public Buildings and Grounds.

S. 1895. An act to provide for the purchase of a site and the erection of a public building thereon at Farmville in the State of Virginia; to the Committee on Public Buildings and Grounds.

S. 248. An act providing for the erection of a Federal building at Coeur d'Alene, Idaho; to the Committee on Public Buildings and Grounds.

S. 5077. An act providing for the erection of a Federal building at Pocatello, Idaho; to the Committee on Public Buildings and Grounds.

S. 5060. An act to provide for the disposal of the unallotted land on the Omaha Indian Reservation in the State of Nebraska; to the Committee on Indian Affairs.

S. 2186. An act to set apart certain lands in the State of Oregon as a public park, to be known as the Saddle Mountain National Park; to the Committee on the Public Lands.

S. 5757. An act to abolish the penalty of imprisonment for desertion of seamen from vessels of the United States; to the Committee on Naval Affairs.

S. 2689. An act to provide for the erection of a public building at Mannington, W. Va.; to the Committee on Public Buildings and Grounds.

S. 3917. An act for the retirement of Henry R. Drake, captain, Philippine Scouts; to the Committee on Military Affairs.

S. 5491. An act for the purchase of a site and the erection thereon of a public building at Corvallis, Oreg.; to the Committee on Public Buildings and Grounds.

S. 4213. An act for the relief of the estate of Harriet B. Anderson and others; to the Committee on Claims.

S. 5623. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors; to the Committee on Pensions.

S. 5194. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and certain widows and dependent relatives of such soldiers and sailors; to the Committee on Pensions.

S. 5244. An act to regulate the practice of dentistry in the District of Columbia; to the Committee on the District of Columbia.

S. 5493. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; to the Committee on Invalid Pensions.

S. 5670. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; to the Committee on Invalid Pensions.

S. 5415. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors; to the Committee on Invalid Pensions.

S. J. Res. 91. Joint resolution authorizing the Secretary of War to receive for instruction at the United States Military

Academy at West Point Mr. Manuel Agüero y Junqué, of Cuba; to the Committee on Military Affairs.

APACHE INDIANS, FORT SILL, OKLA.

Mr. PALMER. Mr. Speaker, I move to discharge the Committee on Indian Affairs from the further consideration of House resolution 420, which was referred to that committee on February 20 last.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 420.

Resolved, That the Secretary of War be, and he is hereby, directed to transmit to this House at as early a date as may be convenient a report setting forth—

First. How many Apache Indians are now held as prisoners of war at the Fort Sill (Okla.) Reservation.

Second. How many of said Indians are males, and how many are females.

Third. How many of said male Indians are under 40 years of age.

Fourth. How many of said Indians are known, at any time prior to their capture, to have been engaged in hostilities against the United States, or to have committed acts of violence against citizens or residents of the United States.

Fifth. The names, ages, present condition of health and general conduct of the Indians coming under the terms of the last paragraph.

Sixth. The military necessity, if any, for continuing to hold said Apache Indians as prisoners of war.

Seventh. By what authority the said Apache Indians are now held as prisoners of war, and particularly by what authority those of said Indians who were born in captivity, and who have come of age while still in captivity, are so held.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania to discharge the Committee on Indian Affairs from the further consideration of the resolution.

The question was taken, and the motion was agreed to.

Mr. PALMER. Mr. Speaker, I move the adoption of the resolution.

Mr. FERRIS. Mr. Speaker, the Secretary of War has on file with the Committee on Indian Affairs a full and complete report with reference to this matter, made after a long and careful investigation conducted last October. I had no notice or information that this was coming up at this time, and I do not know that I have any opposition to it other than that I thought it was proper to state that there is some legislation pending to dispose of this matter, and the Secretary of War has reported at great length upon it. I do not, looking at it hurriedly, see anything in the resolution that is objectionable, but the resolution has had no consideration in the committee at all.

The SPEAKER. That is the very thing that makes it privileged.

Mr. PALMER. It is hardly correct for the gentleman to say that he has had no information about this resolution.

Mr. FERRIS. I do say that.

Mr. PALMER. I spoke to the gentleman and to the chairman of the committee, and to other members of the committee, about the resolution, and they all agreed with me that the information which I was after was proper to be considered by the committee in connection with legislation pending before that committee. This resolution of inquiry went to the Committee on Indian Affairs more than a month ago, and under the rules some report, either favorable or adverse, should have been made within seven days.

It is because the Committee on Indian Affairs has given no consideration to the matter that I am asking that this resolution be now passed. If it be true, as the gentleman states, that the Secretary of War has made report on this proposition, that is the first knowledge I have had that such is the fact, and other friends of these Apache Indians, who were interested adversely to the proposed legislation by which these Apaches will be taken from what they claim to be their own reservation and transplanted down into the southwestern part of the country somewhere, have not had any information, either.

Mr. FERRIS. Mr. Speaker, will the gentleman yield?

Mr. PALMER. Yes.

Mr. FERRIS. The gentleman does not say that he ever talked to me about a resolution of this kind?

Mr. PALMER. Oh, yes, I do.

Mr. FERRIS. Mr. Speaker, the gentleman was never more seriously mistaken in his life than he is now. He talked to me about the Indians, but he never at any time intimated that he had anything pending for them or in their behalf, and certainly has never appeared before the committee, for I never have missed one session of the committee. The gentleman from Pennsylvania has never been before the committee at any time and has never mentioned it to me personally.

Mr. PALMER. Mr. Speaker, I do not care to get into a discussion involving the recollection, much less the veracity, of the gentleman from Oklahoma and myself. He probably misunderstood what I said to him in reference to it. The gentleman from Oklahoma has introduced a bill which, in effect, will

take these Indians, who have been held as prisoners of war for the last 25 years—the Apaches at Fort Sill—and transplant them down into Arizona or New Mexico among the Mescalero Indians. There are something in the neighborhood of 240 of these Indians at the present time, only perhaps a half dozen or more being amongst those who were originally taken prisoners when Geronimo and his band were imprisoned at Fort Sill.

A large grant of land has been made on the condition, as I understand it, that it should be allotted finally as a home for these Indians, and friends of the Indians in other parts of the country are very seriously objecting to any movement which will take the Indians from the land which they claim to be their own, and which they think ought to be allotted to them for homes after they are released as prisoners of war. After the gentleman from Oklahoma had introduced that bill, and it had been called to my attention by some Friends in Pennsylvania, who were interested in this tribe of Indian prisoners, I spoke to the gentleman in reference to it and told him that I had been urged to oppose it, and that I had concluded to start the matter by asking for some definite information from the War Department in relation to the number and the condition of these Indian prisoners of war, and that a resolution of that kind had been introduced by me and referred to his committee.

Mr. FERRIS. Oh, the gentleman does not say that he said that to me?

Mr. PALMER. Yes.

Mr. FERRIS. The gentleman is very much mistaken.

Mr. PALMER. Well, it is a small matter. I talked with the gentleman about it.

Mr. FERRIS. The gentleman talked with me about my bill, but never about his bill.

Mr. PALMER. Yes; about the gentleman's bill and about the information that I desired to get by this resolution of inquiry. Be that as it may, Mr. Speaker, the resolution was introduced, and it went to the Committee on Indian Affairs on the 20th of February, and, as I understand it, there is no objection on the part of the Committee on Indian Affairs to getting all this information before any legislation of any character in relation to these Indian prisoners of war is put through the committee.

Mr. STEPHENS of Texas. Mr. Speaker, will the gentleman yield?

Mr. PALMER. Certainly.

Mr. STEPHENS of Texas. Mr. Speaker, it is not the custom of our committee, or of any committee of the House that I know of, to take up any resolution or bill unless the author of the resolution or bill comes before the committee and requests that it be taken up. There are always Members present at our committee meetings with bills and resolutions that are pressing for consideration. I presume the same rule obtains in other committees. I have no objection whatever to this resolution. I desire to say that these Mescalero Apache prisoners escaped from their reservation in New Mexico, under the leadership of Geronimo, some years ago and murdered a great many helpless citizens, including women and children, and destroyed a great deal of property. They were captured by the soldiers of the United States Army and first carried to Florida as prisoners of war, and afterwards, by act of Congress, they were permitted to be kept at Fort Sill, Okla., and they are still there under the control and direction of the military branch of the Government. These Indians are really no more prisoners of war than we are. Many of them have been permitted to leave the reservation. The town of Vernon, where I live, is 50 miles from Fort Sill, and Geronimo was himself there very frequently. They have not been and are not now prisoners of war in the sense that we usually understand that term. I think that being prisoners of war in the way that they are is a benefit to them. They have to work, and they are more nearly civilized and command more respect among the people of that country than do the Comanche and the Kiowa Indians, among whom they live. I only wish that we had more such prisoners of war among our Indians than we have at the present time, if they would all be improved and forced to become industrious and self-sustaining like these Indians are who are under the military authorities at Fort Sill have become while they have been held—nominally only—as prisoners of war. They ran away from their homes on the Mescalero Reservation, in New Mexico, and went on the warpath under the leadership of Geronimo, and they should be now released as prisoners, returned to their old homes by Congress, and allotted lands on their old reservation, as they have not forfeited their rights there.

Mr. FERRIS. Mr. Speaker, this resolution comes up in a way that is somewhat remarkable to me. For the last two or three years I have been introducing resolutions and bills and

attempting to get some action on this particular question. At this time, at my solicitation and on my bill, the War Department has made a report at great length and in great detail upon this identical question. The gentleman from Pennsylvania [Mr. PALMER] never has at any time darkened the door of the Committee on Indian Affairs and asked that this resolution be considered. I submit that the Committee on Indian Affairs at least ought to have the opportunity of looking at the resolution or of having it called up by its author.

Mr. NORRIS. Mr. Speaker, will the gentleman yield?

Mr. FERRIS. I hope I may proceed a moment without interruption.

The SPEAKER. The gentleman declines to yield.

Mr. FERRIS. I will be very glad to yield later. The gentleman from Pennsylvania represents a Pennsylvania district, and he represents some people who have good motives and who want to do the right thing. I have not the least word of criticism to make against them. However, these Indians are located within 4 miles of my home, and I know the situation and I know the conditions and I think know something about what they need. To introduce a resolution coming from the angle that it does, which has never been presented to the Committee on Indian Affairs, that has never been called up by its author or submitted to anybody, is a procedure that I think the House would hardly want to adopt; and without attempting to oppose the merits of the resolution, I do say that when the War Department has reported and are struggling to make some disposition of this matter themselves, while the Interior Department now has a report partially drawn on legislation that accomplishes what the gentleman seeks to do, I myself being in favor of accomplishing what he seeks to do, such drastic and unusual action would, I think, at least be unnecessary.

I think the gentleman and I are thinking along precisely the same line, but what could be the purpose of inaugurating a scheme or a plan in this House to discharge committees when the author of the resolution had never suggested to the committee or never stepped inside the committee room asking that anything be done with his resolution, and I think the resolution ought to be voted down. I now yield to the gentleman from Nebraska.

Mr. NORRIS. Mr. Speaker, I would like to suggest to the gentleman from Oklahoma that we have already voted to discharge the committee.

Mr. FERRIS. The gentleman is correct about that, but I think they did it without full consideration or knowing the facts.

Mr. NORRIS. I understand that. If the gentleman had made his statement before the motion was passed, I am satisfied the House would have voted against the motion to discharge the committee.

Mr. FERRIS. I think so.

Mr. NORRIS. And I suggest to the gentleman that the proper parliamentary procedure would be to move to reconsider the vote.

Mr. FERRIS. I intend to make that motion at the proper time.

Mr. NORRIS. The committee has been discharged, and then, if the House so desires, the resolution may go back to the committee, where, it seems to me from the gentleman's statement, it ought to go.

Mr. FERRIS. I intend to make that motion.

Mr. MANN. Will the gentleman yield for a question?

Mr. FERRIS. I do.

Mr. MANN. Does not the gentleman think under the rules of the House it is the duty of the committee to consider every inquiry resolution, which is a privileged resolution, regardless of whether somebody calls it up in the committee?

Mr. FERRIS. I am very loath to even debate the practice or custom of the rules of the House with the gentleman from Illinois, because in all frankness and candor I recognize the superiority of the gentleman over anybody on that proposition; but at the same time I want to appeal to his real knowledge of procedure, the way things are actually done, and I think he will agree with me when I say that no committee takes up matters unless somebody comes around and calls it to the attention of the chairman of the committee or comes himself and calls it up.

Mr. HAY. The gentleman from Oklahoma is mistaken about the practice.

Mr. MANN. If the gentleman will pardon me, I was for a while chairman of a committee and for a long time a member of a committee which invariably took notice itself of every privileged resolution which was referred to the committee, and either acted upon it within the six days required or knowingly

let it go without action, so that it was privileged in the House, and it never waited for the author of the resolution to appear before the committee to ask for the consideration of the committee.

Mr. FERRIS. But the gentleman does not assume to say that course is pursued by any considerable number of committees?

Mr. MANN. I think that is the practice of the committees.

Mr. FERRIS. I will say that the committees I have been on have never pursued that course.

Mr. MANN. Well, they ought to change it.

Mr. FERRIS. Perhaps they should; I do not argue that; but I am only contending what my information had been on the subject.

Mr. PALMER. A point of order, Mr. Speaker. I have the floor. I was recognized when I made my motion.

The SPEAKER. The gentleman from Pennsylvania was recognized for an hour, if he desired that time.

Mr. PALMER. And I yielded to the gentleman from Oklahoma. I thought I was recognized in my own right.

The SPEAKER. The gentleman from Pennsylvania was recognized.

Mr. FERRIS. I desire to be recognized at the proper time to make my motion.

Mr. PALMER. Mr. Speaker, I want to say a word in answer to what the gentleman from Oklahoma has said. I am not criticizing the conduct of the Committee on Indian Affairs in any way, and neither do I think it proper that any member of the Committee on Indian Affairs should criticize me for the way in which I have presented and pressed this resolution. I understand that the way in which I have done it is in strict accord with the practice in the House, certainly with the practice which has obtained during the short time I have been here. It is true that the ordinary bill or resolution which goes to a committee is followed up by its author, who appears before the committee and presses its consideration, but there is no duty on the part of the Member so to do. On the other hand, it is the duty of the committee to which the resolution is referred to take the matter up on its own initiative. That is the reason for which proposed legislation has been referred to the committees of the House, but in respect to resolutions of inquiry the practice here has been that, it being of a highly privileged character, after seven days the committee gives it consideration, or, on failure to give consideration, recognizes the fact that the Member who introduced the resolution may follow the matter to the floor, where it can be thrashed out.

And yet, with regard to a resolution of inquiry, I would not consider that it would be proper for a Member to make this motion on the floor without having taken the matter up with the committee. And therefore, as the gentleman from Texas [Mr. STEPHENS] will agree, I spoke to him as the chairman of the committee in reference to the resolution. He probably, in the press of other business before the committee, overlooked it, because it was not a matter about which there was any controversy or any contest. Everybody on the committee, so far as I know, is agreed that the information should be at hand, and everybody who is interested in this legislation agrees that this is the best if not the only proper way to secure that information.

The gentleman from Oklahoma [Mr. FERRIS] says that a report has already been made by the War Department giving this exact information to the committee. My only answer to that is that there are other Members in the House interested in this legislation besides the Committee on Indian Affairs, and the report from the War Department to that committee, kept within its own bosom and not communicated to other Members, will not reach the proposition which I have in view, and that is that all the Members of the House may be advised of the conditions in regard to these Indian prisoners, in order that when the several pieces of legislation affecting them come before the House Members may intelligently vote upon the question.

Now, Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman from Pennsylvania [Mr. PALMER] has 20 minutes remaining.

Mr. PALMER. I yield 19 minutes to the gentleman from Oklahoma [Mr. FERRIS].

The SPEAKER. The gentleman from Oklahoma is recognized for 19 minutes.

Mr. FERRIS. Mr. Speaker, I want to again state that this resolution has never been called to my attention. I have never heard of it before. I did not know it had ever been introduced, and I never saw it until this minute. Now, I greatly hope the House will not adopt this unusual course. However, I do not know that I have, or that I have not, any objection to its

passage. Why not let this bill be referred to the committee from whence it came, and give them an opportunity to consider it—at least look at it—with instructions to rereport it at the expiration of seven days, the usual time? And at the proper time I want to make that motion.

Mr. BURKE of South Dakota. Mr. Speaker—

Mr. MANN. Will the gentleman yield?

The SPEAKER. To whom does the gentleman from Oklahoma [Mr. FERRIS] yield?

Mr. FERRIS. I yield to the gentleman from South Dakota [Mr. BURKE].

Mr. BURKE of South Dakota. Mr. Speaker, I would suggest to the gentleman from Oklahoma [Mr. FERRIS] and to the gentleman from Pennsylvania [Mr. PALMER] that I think there is clearly a misunderstanding as to why this resolution was not reported on by the committee. The committee meets on Monday, and I understand the House will adjourn to-day to meet on Monday. I would suggest that the gentleman should not press the passage of the resolution and give the committee until Monday to make a report.

Mr. PALMER. If the gentleman will permit, it is no reflection on the Committee on Indian Affairs to pass a resolution like this. The entire committee is agreed that the information ought to be obtained. I am not making any reflection upon the committee or criticizing it in any way. I just want to move the thing along. We have had the resolution in the House over a month, and, as the gentleman from South Dakota says, a report could be made in two or three days, and I take it, as all the members of the committee are agreeable to the proposition, it would be a favorable report. Why not then pass a resolution now and be done with it?

Mr. STEPHENS of Texas. We meet on Monday—

Mr. FERRIS. Let me suggest that the War Department has already reported on legislation which will accomplish what the gentleman desires, and the report is in the committee now touching all the things the gentleman has asked for. He ought to advise himself and acquaint himself with the fact that the committee has been advised the report of the War Department is there, and the only thing that keeps the committee from acting now is that it affects two departments, viz, the War Department and the Interior Department. The Interior Department has not yet determined what the report should be.

Mr. PALMER. That is all right; but I want a report to the House.

Mr. MANN. If, as the gentleman states, there is now in the Committee on Indian Affairs a report which substantially complies with the request of the resolution, and that report of the Committee on Indian Affairs not being a House document and not printed for the benefit of the Members of the House, what possible objection is there to passing a resolution having the Secretary of War send the information to the House officially, so it could be printed, as it would be under such conditions, for the benefit of the Members of the House?

Mr. FERRIS. But, if the gentleman will permit me, I take it that the House does not want to do an idle thing. The Indian Committee has authority to accomplish legislation which will reach completely what the gentleman wants. This question concerns two departments of the Government, the Department of the Interior and the War Department, the War Department now having jurisdiction of the Indians, and the Department of the Interior must take jurisdiction where the War Department leaves off; it concerns both departments. The War Department has reported, and the report is there, which will be made public as soon as the committee reports the bill.

Mr. MANN. Are not the Members of the House entitled to the information before the bill is perfected and before the bill is reported? This simply asks for information, and if the resolution is passed the Secretary of War will send the information to the House and it will be printed for the benefit of the Members, so that they may have it in connection with the legislation—not after the legislation is reported, but before it is reported. What possible objection is there to asking for information concerning matters which may arise in legislation?

Mr. FERRIS. Perhaps none; but the answer to the gentleman's question ought to be conclusive when the fact is that the Committee on Indian Affairs never looked at this resolution. I did not know it was introduced until to-day, and the committee has taken no action on it whatever. They have never seen it or considered it a moment, and committees that are elected ought to have some mission to perform.

Mr. MANN. And yet it is the invariable practice of the House and of the committees of the House, where a resolution is introduced simply calling for information from a department which a Member desires to obtain, to report the resolution favorably; or, if committee does not act, the House passes the resolution, if the committee has not reported it, on the

theory that Congress is entitled to any information from any of the departments which would throw light upon any proposed legislation. Now, what objection is there to passing the resolution and getting the information? It does not reflect upon the committee.

Mr. FERRIS. Not at all; but surely the committee has the right to have it called to their attention before they are discharged.

Mr. MANN. It does not reflect upon the action of the committee.

Mr. FERRIS. Not at all; but if the committee has all the information that the gentleman asks for, and is willing to give it to anybody on earth, what would be the use of passing another resolution and having the Secretary of War again report?

Mr. Speaker, I ask unanimous consent that this bill be referred to the Committee on Indian Affairs, with instructions to report the same within five days.

The SPEAKER. What is the request which the gentleman makes?

Mr. FERRIS. I ask unanimous consent to reconsider the vote formerly taken, and that this bill be rereferred to the Committee on Indian Affairs, and that that committee be instructed to report the same back within five days.

Mr. PALMER. I make the point of order, Mr. Speaker, that the gentleman is using my time. He was granted 19 minutes to debate this question, not to make a motion.

Mr. FERRIS. I ask unanimous consent, Mr. Speaker, that that be done.

Mr. PALMER. I object to it.

The SPEAKER. The point of order is sustained. The gentleman was recognized for the purpose of debate.

Mr. PALMER. Now, Mr. Speaker, I move the previous question on the adoption of the resolution.

The SPEAKER. The gentleman from Pennsylvania [Mr. PALMER] yielded 19 minutes to the gentleman from Oklahoma [Mr. FERRIS].

Mr. PALMER. I thought the gentleman was through.

Mr. FERRIS. I ask the gentleman what possible objection there can be to giving a committee of the House the benefit of what it knows about this matter?

Mr. PALMER. In theory, at least, the Committee on Indian Affairs has been considering this resolution since the 20th day of February, and that is plenty of time for a committee to consider a resolution concerning which there is no controversy and no contest. Nobody in the world has any objection to the passing of the resolution at some time. The only objection urged by the gentleman from Oklahoma seems to be that the author of the resolution did not come before his committee and press its immediate consideration.

Mr. FERRIS. The gentleman does not dispute that?

Mr. PALMER. No; the gentleman does not dispute that. I did not go before the Committee on Indian Affairs. I did not consider it to be a part of my duty to do so.

Mr. BURKE of South Dakota. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Oklahoma yield to the gentleman from South Dakota?

Mr. FERRIS. I do.

Mr. BURKE of South Dakota. I would like to ask the gentleman from Oklahoma if the Committee on Indian Affairs has in its possession the information which the resolution calls for?

Mr. FERRIS. I think so. They have a long report on the subject.

Mr. BURKE of South Dakota. If the committee would act upon it, they would probably report to the House the information that the resolution asks for, and thus accomplish the purpose of the resolution?

Mr. FERRIS. Precisely.

Mr. BURKE of South Dakota. I can not understand, therefore, why the gentleman from Pennsylvania [Mr. PALMER] objects to allowing it to go over until Monday, say. I think the gentleman from Oklahoma [Mr. FERRIS] can assure the House that if the resolution does go over until Monday the committee will make a report on that day.

Mr. FERRIS. I am more anxious to have the War Department report printed than anybody in this House. It elaborates the situation exactly as it is, and I think it gives the information which the gentleman from Pennsylvania, at least, wants. I have no objection to the reporting of that information to the House, except that I do not approve of the course pursued by the gentleman toward a committee upon a matter of which he knows nothing. It is a course that ought not to be adopted.

Mr. PALMER. That is the practice universally adopted by Members desiring to secure information, and in view of my disclaimer of any intention or desire to reflect on the committee

and the unanimous feeling all around that we ought to have this information, I think the resolution ought to be passed. I ask for a vote, Mr. Speaker.

The SPEAKER. The question is on the adoption of the resolution.

The question was taken; and at the suggestion of the Speaker, the House divided; and there were—ayes 37, noes 93.

So the resolution was not agreed to.

Mr. PALMER. Mr. Speaker, I ask unanimous consent that the vote by which the Committee on Indian Affairs was discharged from the consideration of House resolution 420 be vacated and that the resolution be again referred to that committee, with the understanding that a report be made thereon by Monday next.

The SPEAKER. The gentleman from Pennsylvania [Mr. PALMER] asks unanimous consent that the vote just taken on the resolution be vacated, and also the vote discharging the committee, and that the resolution be referred to the Committee on Indian Affairs with the understanding that they are to report not later than next Monday.

Mr. FERRIS. I think, Mr. Speaker, the gentleman had better give the committee a little more time, say five days.

Mr. PALMER. I am willing to allow 10 days.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. FERRIS. Mr. Speaker, it has been suggested here that the request embodied the last vote. That is not true, is it, that the last vote, taken by a standing vote was to be vacated? That is not true.

The SPEAKER. Of course both votes have to be vacated. If the last were vacated and the first were not you would be right back to the point where you started.

Mr. FERRIS. The request of the gentleman was to vacate the first vote, not the last one.

Mr. MANN. It had to be reconsidered.

The SPEAKER. The resolution is dead unless both votes are vacated. If you vacate the last one without vacating the first one you are right at the point where you started.

WITHDRAWAL OF PAPERS.

Mr. WILSON of New York, by unanimous consent, was granted leave to withdraw from the files of the House the papers in the case of Frederick Lange, H. R. 30472, Sixty-first Congress, no adverse report having been made thereon.

DEATH OF REPRESENTATIVE FOSTER OF VERMONT.

Mr. PLUMLEY. Mr. Speaker, I offer the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Vermont offers a resolution, which will be reported by the Clerk.

The Clerk read as follows:

House resolution 457.

Resolved, That the House has heard with profound sorrow of the death of Hon. DAVID J. FOSTER, a Representative from the State of Vermont.

Resolved, That a committee of 10 Members of the House (with such Members of the Senate as may be joined) be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate, and transmit a copy thereof to the family of the deceased.

The resolutions were agreed to.

ADJOURNMENT.

Mr. PLUMLEY. Mr. Speaker, I have another resolution.

The SPEAKER. The gentleman from Vermont offers a resolution which will be reported by the Clerk.

The Clerk read as follows:

Resolved, That as a further mark of respect this House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock p. m.) the House, under the order heretofore agreed to, adjourned until Monday, March 25, 1912, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Treasury, relative to House resolutions Nos. 333 and 349, directing the Secretary of the Treasury to furnish the House list of persons shown to have sold cotton to the Confederate States, etc. (H. Doc. No. 639); to the Committee on Expenditures in the Treasury Department and ordered to be printed.

2. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report of examination and survey of Mississippi River revetment banks below Cairo, Ill.

(H. Doc. No. 638); to the Committee on Rivers and Harbors and ordered to be printed, with illustrations.

3. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of K. D. Bookout and F. M. Bookout, sole heirs of Sarah D. Bookout, deceased (H. Doc. No. 641); to the Committee on War Claims and ordered to be printed.

4. A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of trustees of Timberridge Presbyterian Church, of Henry County, Ga. (H. Doc. No. 640); to the Committee on War Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. ADAIR, from the Committee on Invalid Pensions, to which was referred sundry bills of the House, reported in lieu thereof the bill (H. R. 22261) granting pensions and increase of pensions for certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, accompanied by a report (No. 439), which said bill and report were referred to the Private Calendar.

Mr. CARTER, from the Committee on the Merchant Marine and Fisheries, to which was referred the joint resolution (S. J. Res. 69) authorizing the licensing and employment of Otto Neuman Sverdrup as master of vessels of the United States, reported the same without amendment, accompanied by a report (No. 440), which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PAYNE: A bill (H. R. 22262) to amend an act entitled "An act to provide revenue, equalize duties, and encourage the industries of the United States, and for other purposes," approved August 5, 1909; to the Committee on Ways and Means.

By Mr. HUGHES of Georgia: A bill (H. R. 22263) to promote the efficiency of the Medical Department of the United States Army; to the Committee on Military Affairs.

By Mr. FLOOD of Virginia: A bill (H. R. 22264) to amend an act for the protection and regulation of the fisheries of Alaska; to the Committee on the Territories.

By Mr. CLAYTON: A bill (H. R. 22265) to amend section 786 of the Revised Statutes; to the Committee on the Judiciary.

By Mr. BATHRICK: A bill (H. R. 22266) to authorize the erection of a new public building at Akron, Summit County, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. ADAMSON: A bill (H. R. 22267) to prevent the issuing or accepting in interstate commerce of forged and fraudulent bills of lading; to the Committee on Interstate and Foreign Commerce.

By Mr. SWEET: Joint resolution (H. J. Res. 277) proposing an amendment to the Constitution prohibiting polygamy; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 22261) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; to the Committee of the Whole House.

By Mr. ANDERSON of Minnesota: A bill (H. R. 22268) granting a pension to John Wiczorek; to the Committee on Pensions.

By Mr. ANDRUS: A bill (H. R. 22269) granting an increase of pension to Mary Evans; to the Committee on Invalid Pensions.

By Mr. ASHBROOK: A bill (H. R. 22270) granting an increase of pension to Caroline L. Loftus; to the Committee on Invalid Pensions.

By Mr. BARNHART: A bill (H. R. 22271) for the relief of Hiram W. Bays; to the Committee on War Claims.

By Mr. CLINE: A bill (H. R. 22272) granting an increase of pension to George Keller; to the Committee on Invalid Pensions.

By Mr. DAVIS of West Virginia: A bill (H. R. 22273) granting a pension to Emma Bee; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 22274) granting an increase of pension to Simon S. Coy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22275) granting an increase of pension to William B. Fleming; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 22276) granting a pension to Lizzie J. Hoadley; to the Committee on Invalid Pensions.

By Mr. ESCH: A bill (H. R. 22277) granting an increase of pension to Chester F. Cole; to the Committee on Invalid Pensions.

By Mr. HAMLIN: A bill (H. R. 22278) granting an increase of pension to Jasper A. Gaddy; to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 22279) granting a pension to Albert Whitener; to the Committee on Pensions.

Also, a bill (H. R. 22280) granting an increase of pension to Joseph F. Dixon; to the Committee on Invalid Pensions.

By Mr. KAHN: A bill (H. R. 22281) granting a pension to Harry Hall; to the Committee on Pensions.

Also, a bill (H. R. 22282) granting a pension to Althea J. Boyd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22283) granting a pension to Theodore T. Dowdall; to the Committee on Pensions.

Also, a bill (H. R. 22284) granting an increase of pension to James J. Walsh; to the Committee on Pensions.

By Mr. LEWIS: A bill (H. R. 22285) for the relief of John Newton; to the Committee on Military Affairs.

Also, a bill (H. R. 22286) granting a pension to Teresa Gibbs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22287) granting an increase of pension to William H. Taylor; to the Committee on Invalid Pensions.

By Mr. PATTON of Pennsylvania: A bill (H. R. 22288) granting an increase of pension to Dallas Patrick; to the Committee on Invalid Pensions.

By Mr. RUSSELL: A bill (H. R. 22289) for the relief of Stoddard County, in the State of Missouri, for the use and occupation of the courthouse of said county by the Union soldiers during the Civil War; to the Committee on War Claims.

By Mr. SELLS: A bill (H. R. 22290) for the relief of Lincoln S. Jones; to the Committee on Military Affairs.

Also, a bill (H. R. 22291) granting a pension to Oscar C. Oliver; to the Committee on Pensions.

Also, a bill (H. R. 22292) granting an increase of pension to Hugh H. Campbell; to the Committee on Pensions.

Also, a bill (H. R. 22293) granting an increase of pension to Della A. Cooter; to the Committee on Invalid Pensions.

By Mr. STEPHENS of California: A bill (H. R. 22294) to reimburse W. A. Gara, clerk in charge post-office station No. 28, Los Angeles, Cal., for loss of postage stamps; to the Committee on Claims.

By Mr. SWITZER: A bill (H. R. 22295) granting a pension to Mary A. Mann; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22296) granting an increase of pension to James A. Waddell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 22297) granting an increase of pension to James Skelton; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 22298) granting an increase of pension to Jack Woods; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. AINEY: Petitions of Granges Nos. 1063 and 1429, Patrons of Husbandry, for a governmental system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. ANDERSON of Minnesota: Petition of the First State Bank and 16 others of Le Roy, Minn., against extension of the parcel-post system; to the Committee on the Post Office and Post Roads.

By Mr. ASHBROOK: Memorial of Grange No. 1448, Patrons of Husbandry, for parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of Carl Bros. and 15 other merchants of Shreve, Ohio, protesting against parcel-post legislation; to the Committee on Post Office and Post Roads.

Also, petition of Joe Green and others, of Newark, Ohio, protesting against enactment of proposed interstate-commerce liquor legislation; to the Committee on the Judiciary.

Also, memorial of Buckhorn Grange, No. 1445, Tuscarawas County, Ohio, asking for the enactment of the proposed parcel-post legislation; to the Committee on the Post Office and Post Roads.

Also, petition of T. P. Peter, mayor and merchant of Canal Dover, Ohio, protesting against the enactment of the proposed parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of J. H. Newton and 20 other citizens of Newark, Ohio, protesting against the enactment of any legislation prohibiting the interstate commerce of liquors; to the Committee on the Judiciary.

By Mr. AYRES: Memorial of citizens of New York City, favoring old-age pensions; to the Committee on Pensions.

By Mr. BOWMAN: Petition of Grange No. 813, Patrons of Husbandry, for a governmental system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. CALDER: Memorial of members of United Harbor, No. 1, of the American Association of Masters, Mates, and Pilots, for legislation promoting efficiency of the Public Health and Marine-Hospital Service; to the Committee on Interstate and Foreign Commerce.

Also, petition of I. S. Rosenberg, of Brooklyn, N. Y., for enactment of House bill 20595, amending the copyright act of 1909; to the Committee on Patents.

By Mr. CATLIN: Petition of William Graham, of Deer Street Theater, St. Louis; E. W. Linn, Sherman Theater, St. Louis; Dan S. Fishell, Princess Theater, St. Louis; M. J. Nash, King Bee Theater, St. Louis; Edward Berger, Clayton Airdome, St. Louis; William Goldman, St. Louis Theater, St. Louis; J. W. Gillespie, Arco Theater, St. Louis; Charles Mockobey, Valley Park, Mo.; and William P. Flinn, Maffitt Theater, St. Louis, favoring the passage of House bill 20595, amending the copyright law; to the Committee on Patents.

Also petition of the United Garment Workers of America, Local Union No. 26, of St. Louis, Mo., favoring the passage of House bill 20423, providing for the registration of labels in the District of Columbia and Territories; to the Committee on Patents.

Also, petition of Camp Corporal Lorraine B. De Witt, Army of the Philippines, favoring the passage of House bill 17470, additional widow pension bill; to the Committee on Pensions.

By Mr. COX of Ohio: Memorial of convention of District No. 6, United Mine Workers of America, favoring the old-age pension bill; to the Committee on Pensions.

By Mr. DANFORTH: Petition of Towarzystwo Rzemieslnikow Polskich of Rochester, N. Y., protesting against legislation providing for an educational test of aliens entering the United States; to the Committee on Immigration and Naturalization.

By Mr. DAVIS of West Virginia: Petition of sundry citizens of the first congressional district of West Virginia, praying for a speedy report on House bill 16214; to the Committee on the Judiciary.

By Mr. DICKINSON: Petition of 12 citizens of the sixth congressional district of Missouri, for enactment of House bill 20595, amending section 25 of the copyright act of 1909; to the Committee on Patents.

By Mr. DONOHUE: Memorial of Beardstown (Ill.) Chamber of Commerce, against granting permission to increase the flow of water from Lake Michigan into the Illinois River; to the Committee on Rivers and Harbors.

By Mr. DOREMUS: Petition of W. J. Lime and others, of De Witt, Mich., protesting against parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. DRAPER: Memorial of Los Angeles (Cal.) Chamber of Commerce, relative to Panama Canal tolls; to the Committee on Interstate and Foreign Commerce.

By Mr. DYER: Memorial of Los Angeles (Cal.) Chamber of Commerce, against charging American ships tolls in the Panama Canal; to the Committee on Interstate and Foreign Commerce.

Also, petition of Business Men's League, of St. Louis, Mo., against House bill 16844, requiring manufacturers to bear the name of the manufacturer; to the Committee on Interstate and Foreign Commerce.

Also, petition of numerous citizens of St. Louis, Mo., favoring the speedy passage of the Kenyon-Sheppard interstate-commerce liquor bill; to the Committee on the Judiciary.

Also, petition of J. Harvey Slater, Richmond, Mo., favoring supervision of the Bureau of Animal Industry; to the Committee on Agriculture.

Also, petition of the Consolidated Coal Co., of St. Louis, Mo., favoring a labor commission; to the Committee on Labor.

Also, papers to accompany House bill 22056; to the Committee on Claims.

Also, petitions of T. B. Frary and Leonard R. Woods, of St. Louis, Mo., favoring the passage of the Kenyon-Sheppard bill; to the Committee on the Judiciary.

Also, petition of C. E. Udell & Co., cheese dealers, of St. Louis, Mo., against the parcel post; to the Committee on the Post Office and Post Roads.

Also, memorial of St. Louis Photo-Engravers' Union, No. 10, International Photo-Engravers' Union of North America, favoring House bill 20423; to the Committee on the District of Columbia.

Also, petition of George P. Meyer, of Knickerbocker Theater, St. Louis, Mo., favoring amendment of the copyright act of 1909; to the Committee on Patents.

By Mr. ELLERBE: Memorial of the church conference of the Methodist Episcopal Church South of Dillon, S. C., asking the speedy passage of the Kenyon-Sheppard interstate liquor shipment bill; to the Committee on the Judiciary.

By Mr. ESCH: Papers to accompany bill for the relief of Chester F. Cole; to the Committee on Invalid Pensions.

Also, petitions of citizens of Kendall and Onalaska, Wis., for parcel-post legislation, etc.; to the Committee on the Post Office and Post Roads.

Also, petitions of dairymen and citizens of Northfield, Cash-ton, Melvina, West Salem, Hixton, Sechlerville, La Crosse, Chili, Granton, Marshfield, Greenwood, Oakdale, Tomah, Bangor, Withee, and Neillsville, Wis., protesting against the Lever bill (H. R. 18493); to the Committee on Agriculture.

Also, memorial of Twenty-sixth Annual Closing Wisconsin Farmers' Institute, held at Neenah, Wis., in favor of a general parcel-post law; to the Committee on the Post Office and Post Roads.

By Mr. FOCHT: Petitions of Granges Nos. 1340 and 1403, Patrons of Husbandry, for parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. FULLER: Petition of the Methodist Episcopal Church of Verona, Ill., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of the Consolidated Coal Co., of St. Louis, Mo., favoring the creation of Federal industrial commission, etc.; to the Committee on Labor.

Also, petition of Montgomery Ward & Co., of Chicago, Ill., favoring certain amendments to the patent laws; to the Committee on Patents.

Also, petition of the Woman's Christian Temperance Union of Verona, Ill., for the passage of the Kenyon-Sheppard interstate-commerce liquor bill; to the Committee on the Judiciary.

Also, petition of E. S. Sheley, of R. F. D. No. 2, Belvidere, Ill., and of Manley Munson, R. F. D. No. 1, Beloit, Wis., favoring the establishment of a parcel-post service; to the Committee on the Post Office and Post Roads.

Also, petitions of Oakley W. Esmond, of Ottawa; Morrissey Bros., of Dwight; W. F. Elliott, of De Kalb; O. T. D. Berg, of Malta; and Robert O. Fuller, of Waterman, all in the State of Illinois, in favor of a parcel-post service; to the Committee on the Post Office and Post Roads.

By Mr. GARNER: Petition of Marcelina Local Union, Wilson County, Tex., favoring the bills to prevent gambling in farm products, a general parcel post, further restriction of foreign immigration, and the market bill, better known as the Webb-Callaway bill (H. R. 19069); to the Committee on Interstate and Foreign Commerce.

By Mr. GODWIN of North Carolina: Memorial of the Chamber of Commerce of Wilmington, N. C., for the creation of an international commission on the cost of living; to the Committee on Foreign Affairs.

By Mr. HARTMAN: Memorial of Local Union, United Mine Workers of America, Patton, Pa., advocating the building of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, memorials of Barr Grange, No. 1121, Patrons of Husbandry, Cambria County, Pa., and Allegheny Grange, No. 1154, Blair County, Pa., favoring the passage of parcel-post bill (H. R. 19133); to the Committee on the Post Office and Post Roads.

Also, memorial of the Philadelphia Chamber of Commerce, favoring the continuance of the Tariff Commission and the appropriation of funds to carry on its work; to the Committee on Ways and Means.

Also, petition of A. J. Oaks and 63 other citizens of South Fork, Pa., favoring the Kenyon-Sheppard interstate liquor shipment bill and the Hobson amendment; to the Committee on the Judiciary.

By Mr. HAYDEN: Petition of residents, officials, and official bodies of Gila County, Ariz., asking that law be enacted providing that the United States court for the district of Arizona hold its sessions in three or more places in said district, and that Globe, Gila County, be named as one of the places where sessions of said court be held; to the Committee on the Judiciary.

Also, petition of K. H. Lippert and certain other citizens of Bisbee, Ariz.; Richard Humphrey and certain other citizens of

Lowell, Ariz., and vicinity; and M. C. Benton, of Bisbee, Ariz., and other citizens, all members of the Improved Order of Red Men, favoring the erection of an American Indian memorial and museum building in Washington, D. C.; to the Committee on Public Buildings and Grounds.

Also, petition of citizens of Groom Creek, Ariz., for enactment of the Berger old-age pension bill; to the Committee on Pensions.

Also, memorial of E. B. Moore and others, holding certain United States obligations referred to in House bill 17485, by Mr. VOLSTEAD, of Minnesota, protesting against the passage of said bill; to the Committee on the Public Lands.

By Mr. HEALD: Petitions of members of executive committee of Daughters of American Revolution of California, and by the chairman of the Committee on the Welfare of Women and Children of the State of California, urging the establishment of a children's bureau; to the Committee on Labor.

Also, petition of 54 citizens of the State of California, for enactment of the Berger old-age pension bill; to the Committee on Pensions.

By Mr. HENRY of Connecticut: Petition of shoe merchants of the first congressional district of Connecticut, protesting against enactment of House bill 16844; to the Committee on Interstate and Foreign Commerce.

By Mr. HOWELL: Petition of C. C. Crismon, F. J. Nichols, and other assayers of Salt Lake City, Utah, protesting against House bill 17033; to the Committee on Ways and Means.

Also, petition of the Woman's Christian Temperance Union of Ogden, Utah, for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

Also, petition of Joseph Wittmer and 30 other citizens of Hurricane, Utah, urging the establishment of a parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petitions of citizens of the State of Utah, for enactment of House bill 20595, amending the copyright act of 1909; to the Committee on Patents.

By Mr. JAMES: Petition of citizens of the State of Kentucky, for the passage of a parcel-post law; to the Committee on the Post Office and Post Roads.

By Mr. KAHN: Papers to accompany bills for the relief of Theodore T. Dondall and James J. Walsh; to the Committee on Pensions.

Also, memorial of the California Club of California, Civic Department, San Francisco, indorsed by the Local Council of Women, the To-Kalon Club, the San Diego Club, the Woman's Improvement Association of Pasadena, the Wednesday Club of San Diego, the Burlingame Women's Club, the Hanford Woman's Club, the Coalinga Ladies' Improvement Club, the Civic Association of Los Angeles, the Entre Nous Club, the Sonora Valley Woman's Club, the Eureka Civic Club, the Glendora Woman's Club, the Woman's Club of Arcata, the Laguna Honda Parent Teacher Association, the Wednesday Morning Club of Riverside, the Women's Improvement Club, the Avon Club, the Irwindale Miscellany Club, the Woman's Civic Club, the Raymond Improvement Club, and the Current Events Club, advocating and asking that Congress appropriate funds for the enforcement of the white-slave traffic law; to the Committee on Appropriations.

Also, papers to accompany bill granting a pension to Harry Hall; to the Committee on Pensions.

Also, papers to accompany bill granting a pension to Althea J. Boyd; to the Committee on Invalid Pensions.

By Mr. LANGHAM: Petitions of Granges Nos. 563, 573, 625, and 1396, Patrons of Husbandry, and individuals of Clarion County, Pa., for a governmental system of postal express; to the Committee on Interstate and Foreign Commerce.

By Mr. LINDSAY: Memorial of the Maritime Exchange of New York City, indorsing the action of Congress with respect to the battleship *Maine*; to the Committee on Naval Affairs.

Also, petition of Maurice Simmons, commander in chief of the United Spanish War Veterans, for enactment of House bill 17470; to the Committee on Pensions.

Also, memorial of the Los Angeles (Cal.) Chamber of Commerce, relative to Panama Canal tolls; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Corning (N. Y.) Business Men's Association, for enactment of House bill 17736, relative to postage on first-class mail matter; to the Committee on the Post Office and Post Roads.

By Mr. LOUD: Petition of William H. Craig and other residents of Whittemore, Mich., for congressional investigation concerning prosecution of the editors of the Appeal to Reason; to the Committee on Rules.

By Mr. McCALL: Petition of George A. Lancaster, of Revere, Mass., favoring an inquiry into the increased cost of anthracite

coal, and into methods of adapting bituminous coal to domestic use; to the Committee on Rules.

By Mr. McKELLAR: Petition of citizens of Memphis, Tenn., asking the building of one battleship in Government navy yard; to the Committee on Naval Affairs.

Also, petition of citizens of Memphis, Tenn., for enactment of House bill 16450; to the Committee on the Judiciary.

By Mr. McKINNEY: Memorial of the Retail Merchants' Association of Moline, Ill., favoring the increase of the amount appropriated in the Army bill for the manufacture of small arms at the Rock Island Arsenal; to the Committee on Military Affairs.

Also, petitions of the Zuma Methodist Episcopal Church, of Rock Island County, Ill., and the Zuma Woman's Christian Temperance Union, favoring the speedy passage of the Kenyon-Sheppard interstate liquor shipping bill; to the Committee on the Judiciary.

By Mr. MANN: Petition of board of directors of the Chicago Live Stock Exchange, favoring the passage of House bill 20231, amending the oleomargarine law; to the Committee on Agriculture.

By Mr. MONDELL: Petition and memorial of members of the Park County (Wyo.) Farmers' Association, in favor of a parcel-post system; to the Committee on the Post Office and Post Roads.

Also, petition of numerous citizens and taxpayers of Cheyenne, Wyo., protesting against the enactment of House bill 17485, relating to the use of land scrip; to the Committee on the Public Lands.

Also, petition of many citizens and taxpayers of Converse County, Wyo., protesting against the enactment of House bill 17485, relating to the use of land scrip; to the Committee on the Public Lands.

Also, petition of numerous voters and citizens of Wyoming, protesting against the introduction of the Taylor system into the navy yards and arsenals of the Government; to the Committee on Naval Affairs.

Also, petition of members of the Baptist Church of Sheridan, Wyo., urging the passage of House bill 16214, to withdraw interstate-commerce protection to liquors imported into "dry" territory for illegal use; to the Committee on the Judiciary.

Also, petition of members of the Methodist Church of Sheridan, Wyo., urging the passage of House bill 16214, to withdraw interstate-commerce protection from liquors shipped into "dry" territory for illegal purposes; to the Committee on the Judiciary.

By Mr. MOTT: Memorial of Volney Grange, No. 165, Patrons of Husbandry, of Fulton, N. Y., against the Lever oleomargarine bill; to the Committee on Agriculture.

Also, memorial of Volney Grange, No. 165, Patrons of Husbandry, of Fulton, N. Y., in favor of a parcel-post system; to the Committee on the Post Office and Post Roads.

Also, memorial of Los Angeles (Cal.) Chamber of Commerce, relative to Panama Canal tolls; to the Committee on Interstate and Foreign Commerce.

Also, petition of members of the International Apple Shippers' Association, in favor of House bill 17936; to the Committee on Coinage, Weights, and Measures.

Also, petition of the Corning (N. Y.) Business Men's Association, for enactment of House bill 17736; to the Committee on the Post Office and Post Roads.

By Mr. NEEDHAM: Petition of the Woman's Christian Temperance Union of Modesto, Cal., for passage of Kenyon-Sheppard interstate liquor bill; to the Committee on the Judiciary.

By Mr. PATTEN of New York: Memorial of the Maritime Exchange of New York City, indorsing the action of Congress with respect to the battleship *Maine*; to the Committee on Naval Affairs.

Also, memorial of the Chamber of Commerce of the State of New York, relative to Panama Canal tolls; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the New York State Senate, for construction of one battleship in the Brooklyn Navy Yard; to the Committee on Naval Affairs.

Also, memorial of the Brooklyn League, for construction of one battleship in the Brooklyn Navy Yard; to the Committee on Naval Affairs.

Also, petition of Camp No. 10, Department of New York, and Camp No. 49 and Municipal Council, United Spanish War Veterans, for enactment of House bill 17470; to the Committee on Pensions.

By Mr. PATTON of Pennsylvania: Petitions of sundry citizens of Osceola, Hartsdale, Phillipsburg, and Dubois, Pa., protesting against the passage of House bill 14060, known as the Richardson bill; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: Memorial of the Jobbers' Association of Sacramento, Cal., protesting against reduction in the tariff on sugar; to the Committee on Ways and Means.

Also, petition of Mary Fenton, of San Francisco, Cal., in favor of House bill 20423; to the Committee on the Judiciary.

Also, petition of 46 citizens of Sutter Creek, Cal., for construction of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, memorial of the Los Angeles (Cal.) Chamber of Commerce relative to Panama Canal tolls; to the Committee on Interstate and Foreign Commerce.

By Mr. REILLY: Memorial of the Los Angeles (Cal.) Chamber of Commerce relative to Panama Canal tolls; to the Committee on Interstate and Foreign Commerce.

Also, petition of citizens of New Haven, Conn., for construction of one battleship in a Government navy yard; to the Committee on Naval Affairs.

Also, petition of citizens of New Haven, Conn., for enactment of House bills 16802 and 18244; to the Committee on Indian Affairs.

Also, memorial of Lodge No. 25, Independent Order B'nai B'rith, of New Haven, Conn., indorsing House bill 9242; to the Committee on Reform in the Civil Service.

By Mr. REYBURN: Memorial of Los Angeles Chamber of Commerce against charging American ships toll in the Panama Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. SCULLY: Memorial of the Los Angeles (Cal.) Chamber of Commerce relative to Panama Canal tolls, etc.; to the Committee on Interstate and Foreign Commerce.

Also, petition of Edward Ryan, of Keansburg, N. J., for passage of House bill 21530, for the relief of Frank Bowers; to the Committee on Claims.

Also, memorial of the Chamber of Commerce Association of Beardstown, Ill., protesting against granting any permit to increase the flow of waters of Lake Michigan down or through the valley of the Illinois River; to the Committee on Rivers and Harbors.

Also, memorial of the Pennsylvania Library Club and the New Jersey Library Association, for enactment of House bill 19546; to the Committee on the Post Office and Post Roads.

By Mr. SIMS: Petitions of citizens of the State of Tennessee, for parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of New York: Petition of John Stanfield and other citizens of Colden, N. Y., favoring the Sulzer parcel-post bill (H. R. 14); to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Texas: Petition of citizens of Eastland County, Tex., for amendment to the postal savings bank act; to the Committee on the Post Office and Post Roads.

By Mr. SULZER: Memorial of Los Angeles (Cal.) Chamber of Commerce, against charging American ships toll for passing through the Panama Canal; to the Committee on Interstate and Foreign Commerce.

Also, petition of Prof. Clarence G. Child, favoring House bill 13240; to the Committee on Foreign Affairs.

Also, memorial of Buffalo Chamber of Commerce, of Buffalo, N. Y., in favor of legislation to improve the foreign service; to the Committee on Foreign Affairs.

Also, memorial of Akron Chamber of Commerce, of Akron, Ohio, indorsing House bill 20044 for the improvement of foreign service of the United States; to the Committee on Foreign Affairs.

Also, petition of Corning (N. Y.) Business Men's Association, favoring House bill 17736; to the Committee on the Post Office and Post Roads.

Also, petition of George Baker, favoring the extension of the parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of National Marine Engineers' Beneficial Association of New York, favoring Senate bill 2117; to the Committee on Naval Affairs.

Also, petition of Jacob J. Cohen and 15 other citizens of New York City, favoring House bill 17253; to the Committee on Ways and Means.

Also, memorial of Maritime Exchange of New York, favoring the Marine Hospital bill (S. 2117); to the Committee on Naval Affairs.

By Mr. TAYLOR of Colorado: Petition of homestead settlers in the Estancia Valley, N. Mex., praying for the enactment of a three-year homestead law; to the Committee on the Public Lands.

By Mr. TILSON: Memorial of the State Board of Education of Connecticut, in opposition to legislation for cooperation of the Federal Government with States in encouraging instruction in agriculture, etc.; to the Committee on Agriculture.

Also, petition of Grange No. 151, Patrons of Husbandry, of Enfield, Conn., for parcel-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. UTTER: Petition of H. J. Wheeler, Eugene Appleton, A. E. Stene, and T. K. Winsor, favoring House bill 18000, to regulate the importation and interstate transportation of nursery stock; to the Committee on Agriculture.

Also, petition of Laurel Grange, No. 40, Patrons of Husbandry, of Laurel, R. I., favoring the parcel post; to the Committee on the Post Office and Post Roads.

Also, petition of Laurel Grange, No. 40, Patrons of Husbandry, Rhode Island, protesting against the oleomargarine bill to reduce the tax and permit it to be colored in imitation of butter; to the Committee on Agriculture.

By Mr. WILSON of New York: Memorial of the Maritime Exchange of New York City, indorsing the action of Congress in respect to the battleship *Maine*; to the Committee on Naval Affairs.

SENATE.

MONDAY, March 25, 1912.

The Senate met at 2 o'clock p. m.

The Chaplain, Rev. Ulysses G. B. Pierce, D. D., offered the following prayer:

Almighty God, our heavenly Father, who in life and in death givest us the victory and in every experience leadest us in triumph in Christ, lighten the sorrows of our hearts this day, we pray Thee, that by Thy grace we may be more than conquerors through Him that loveth us. And unto Thee, whose grace is ready to help in time of need, will we render praise now and for evermore. Amen.

FRANK B. BRANDEGEE, a Senator from the State of Connecticut, took the chair as President pro tempore under the previous order of the Senate.

The Journal of the proceedings of Friday last was read and approved.

INTERNATIONAL HARVESTER CO. (S. DOC. NO. 454).

The PRESIDENT pro tempore laid before the Senate a communication from the Attorney General, transmitting, in reply to Senate resolution of March 16, 1912, information that it is not compatible with the public interests to lay before the Senate the information therein requested.

Mr. BACON. I desire that we may be informed what the reply is. We can not judge from the statement. I ask that it be read.

The PRESIDENT pro tempore. Does the Senator from Georgia desire to have the original resolution read?

Mr. BACON. I want to have the matter the reply concerns read.

The PRESIDENT pro tempore. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 250) adopted by the Senate March 16, 1912, as follows:

Whereas it is reported that there is pending before the Department of Justice a settlement between the United States and the International Harvester Co., by which the so-called Harvester Trust may be permitted to reorganize and to bring its organization and business within the Sherman antitrust law as construed by the Supreme Court: Therefore be it

Resolved, That the Attorney General be, and he is hereby, instructed to lay before the Senate all correspondence and information he may have upon this subject, together with any and all correspondence, information, and reports of the Bureau of Corporations relating thereto, from January 1, 1904, to the present time.

Mr. BACON. Now let the response be read.

The PRESIDENT pro tempore. The Secretary will read the response of the Attorney General in full.

The Secretary read as follows:

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., March 23, 1912.

THE PRESIDENT OF THE SENATE.

Sir: I am in receipt of a copy of a resolution adopted by the Senate March 16, 1912, reading as follows:

"Whereas it is reported that there is pending before the Department of Justice a settlement between the United States and the International Harvester Co. by which the so-called Harvester Trust may be permitted to reorganize and to bring its organization and business within the Sherman antitrust law as construed by the Supreme Court: Therefore be it

Resolved, That the Attorney General be, and he is hereby, instructed to lay before the Senate all correspondence and information he may have upon this subject, together with any and all correspondence, information, and reports of the Bureau of Corporations relating thereto from January 1, 1904, to the present time."

In reply I am directed by the President to say that, in my opinion, it is not compatible with the public interests to lay before the Senate the correspondence and information relating to the International Harvester Co. in the possession of this department, nor the correspondence,

information, and reports of the Bureau of Corporations relating thereto. These are matters pertaining entirely to business which is now pending and uncompleted in this department.

I have the honor to be,

Very respectfully, yours,

GEO. W. WICKERSHAM,
Attorney General.

Mr. BACON. Mr. President, I do not suppose that it would be a matter for discussion now, but I am unwilling for any such answer as that to be sent to the Senate of the United States by the head of one of the departments without its receiving an expression from at least one Senator that that officer entirely misunderstands his relation to this body, and that he has no right to send any such response to this body. If there are reasons, they ought to be communicated to the Senate in an entirely different way and in an entirely different tone.

The Senate of the United States has the right to ask for any paper in any executive office, and it has a right to have that paper produced or the reasons therefor communicated in a very different tone from that in which the Attorney General has seen fit to address to the Senate.

Mr. President, we have had this question discussed in the Senate before. It has been discussed in the Senate some 25 years ago, when probably there were present not more than one or two who are now Members of this body. The matter has been very fully discussed, both then and since then, and there has been an expression on the subject from those who antedated us, men than whom in learning and ability there have been none more prominent in this body in the last half century.

It is not the first time, Mr. President, that the Senate has directed the head of a department to furnish the Senate with information when it was not deemed expedient for that information to be furnished; but that fact was communicated to the Senate in a very different way. I recall myself an instance in which, during the Spanish War, I introduced a resolution which called for certain information from the War Department. Mr. Alger was Secretary of War at that time, and instead of returning such a response as that which we have just heard, the Secretary of War came personally to the Senate and called for the then chairman of the Committee on Military Affairs, who was Senator Hawley, of Connecticut, and for myself, the introducer of the resolution. We met him in the Marble Room, and he, in a quiet and proper way, gave us privately the reasons why it would be inexpedient that that information should be furnished and thus made public. We both of us recognized the propriety of the reasons given by him, and voluntarily—I say voluntarily—immediately we so signified to him, and I myself came back into the Senate and asked that the resolution be withdrawn.

Mr. President, that is the proper way for the head of a department to respond to such a requirement from the Senate, and that is the way in which it can be done with proper respect to the Senate and at the same time without anything being done which may be prejudicial to the public interests. If the Attorney General deemed that it was inexpedient that these matters should be made public, it was proper to have communicated to the Senate that fact in a very different tone from the letter which has been read.

Mr. President, the heads of departments have a very erroneous idea, some of them, as to what their relation is to the Congress of the United States. Their offices are not created by the Constitution. They derive no atom of power from the Executive. They are the creatures of the Congress of the United States. They do not exercise a power that is not given to them by the Congress of the United States. They do not possess a power that the Congress of the United States can not withdraw, and the more fully that fact is recognized the better for the relations which are to exist between Congress and the heads of these departments.

Mr. President, that is a response such as I have never before heard in the Chamber to a call for information from one of the departments. The Attorney General does not even go to the extent of saying that he had laid the matter before the President and the President did not deem it expedient to make the information public. If it had been laid before the President and the President did not deem it expedient, it was through the President that the information should have come to the Senate. It was proper for the President to send to the Senate the statement if in his opinion it was not expedient that the information was to be given and thus made public, and we would have all recognized the propriety of the President sending to us such a message. But it is not a proper message for the head of a department to send to the Senate.

Mark the language, Mr. President. It would have been bordering on discourtesy if he had said that the President had instructed him to say that in the opinion of the President it